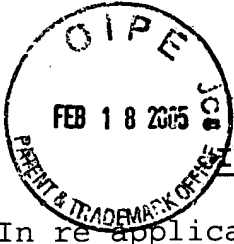


1631
JFW



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Dorit WOLF, Olga GERLACH and
Manfred BAERNS

Conf. No.: 8471

Appln. No.: 09/909,038

Art Unit: 1631

Filed: July 19, 2001

Examiner: ZHOU, S.

For: PROCESS FOR PRODUCTION AND SELECTION OF NEW
CATALYSTS USING AN EVOLUTIONARY PROCESS

Attorney Docket No.: 3975.003

Customer Number: 000041288

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

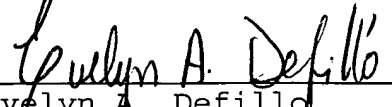
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Non-Compliant Amendment dated February 8, 2005, (copy of which is attached hereto), Applicant submits herewith Revised Version of Amendment C including the substitution of the terminology "Original" for the terminology "previously presented" in the Claim section.

The Examiner is respectfully requested to acknowledge receipt of the above.

Respectfully submitted,


Evelyn A. Defillo
Registration No. 45,630

PENDORF & CUTLIFF
5111 Memorial Highway
Tampa, FL 33634-7356
(813) 886-6085

Date: February 15, 2005

US Application No. 09/909,038
RESPONSE TO A NOTICE OF NON-COMPLIANCE

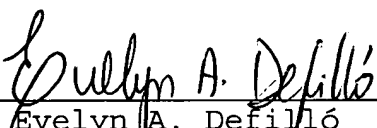


Attorney Docket No. 3975.003

CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT for U.S. Application No. 09/909,038 filed July 19, 2001, was deposited in first class U.S. mail, with sufficient postage, addressed to: Attn: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on **February 15, 2005**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Evelyn A. DeFilio



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

FEB 18 2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,038	07/19/2001	Dorit Wolf	3975.003	8471

41288 7590 02/08/2005

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TAMPA, FL 33634-7356

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
FEB 11 2005
BY: *Eny*

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09/909,038

Examiner

Shubo (Joe) Zhou

Applicant(s)

WOLF ET AL.

Art Unit

1631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 4 November 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: The status identifier for claims 10-17 should not be "original" as in the claim listing filed 11/4/04. Rather, it should be "previously presented" because they were previously presented as "new" on 2/6/04.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.



2/6/05
JOHN H. BARBER
EXAMINER